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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

CENTOCOR ORTHO BIOTECH, INC.,

Plaintiff,

v.

GENENTECH, INC. and CITY OF HOPE,

Defendants.

GENENTECH, INC. and CITY OF HOPE,

Counter-Plaintiffs

v.

CENTOCOR ORTHO BIOTECH, INC.,

Counter-Defendant

AND

GLOBAL PHARMACEUTICAL  
SUPPLY GROUP, LLC, CENTOCOR  
BIOLOGICS, LLC, AND JOM  
PHARMACEUTICAL SERVICES, INC.,

Third-party Defendants.

Case No. CV 08-03573 MRP (CTx)

The Honorable Mariana R. Pfaelzer

**APPLICATION TO FILE UNDER  
SEAL DOCUMENTS IN  
SUPPORT OF GENENTECH,  
INC.'S SUPPLEMENTAL  
MEMORANDUM IN SUPPORT  
OF GENENTECH'S MOTION TO  
AMEND PROTECTIVE ORDER**

Date: July 19, 2010  
Time: 11:00 am  
Place: Courtroom 12

**ORIGINAL**

1 PLEASE TAKE NOTICE that Pursuant to Local Rule 79-5.1, Defendant/Counter-  
2 Plaintiff Genentech, Inc. ("Genentech") seeks leave to file the following documents  
3 under seal:

4 1. Genentech, Inc.'s Supplemental Memorandum in Support of Genentech's  
5 Motion to Amend Protective Order.

6 2. Correspondence between Alex Goranin, Esq., counsel for Centocor and  
7 Marc E. Sernel, Esq., counsel for Genentech.

8 3. A May 20, 2010 letter from Hannah S. Williams, Esq., of Genentech to Dr.  
9 Phillip Ansell of Celltech.

10 4. A June 17, 2010 letter from Hannah S. Williams, Esq., of Genentech to Mr.  
11 Allen Norris of Celltech.

12 The documents sought to be filed under seal relate to license agreements and  
13 correspondence between Genentech and Celltech. The documents contain confidential  
14 business information and many are subject to confidentiality provisions. The exhibits  
15 identified above have been designated by each party as highly confidential, and were  
16 exchanged on an "outside attorneys' eyes only" basis.

17 Therefore, Genentech seeks a Court order to seal these documents. Genentech  
18 believes in good faith that Centocor *et al.* will not oppose this application because the  
19 material includes confidential business information of Centocor *et al.*

20 For the foregoing reasons, Genentech respectfully requests that the Court grant this  
21 Application and order that the: (1) Genentech, Inc.'s Supplemental Memorandum in  
22 Support of Genentech's Motion to Amend Protective Order; (2) Declaration of Marcus E.  
23 Sernel in Support of Genentech, Inc.'s Supplemental Memorandum in Support of  
24 Genentech's Motion to Amend Protective Order and exhibits A-C be filed under seal.

25 Genentech is also filing, concurrently with this Application, a proposed order  
26 sealing the above-referenced documents.

1 Dated: July 2, 2010

/s/ Marcus E. Sernel

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*Attorneys for Defendant/Counter-  
Plaintiff Genentech, Inc.*

**PROOF OF SERVICE**

I, Shira J. Kapplin, am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 300 N. LaSalle Street, Chicago, Illinois 60654.

On July 2, 2010 I served a true copy of the following documents described as:  
**APPLICATION TO FILE UNDER SEAL DOCUMENTS IN SUPPORT OF  
GENENTECH, INC.'S SUPPLEMENTAL MEMORANDUM IN SUPPORT OF  
GENENTECH'S MOTION TO AMEND PROTECTIVE ORDER**

on the interested parties in this action as follows:

☒ **By E-Mail:** I caused to have delivered such documents to the addressees as set forth below:

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averrechio@akingump.com  
mpearson@akingump.com

Executed July 2, 2010 in Chicago, Illinois.

Shira J. Kapplin  
Print Name

/s/ Shira J. Kapplin  
Signature